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|--------------------------|---|-------------|----------------------|------------------------|------------------|--|
| APPLICATION NO |). | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | |
| 10/602,547 | | 06/24/2003 | Kyle Bateman | 2280.ACTI.NP | 1226 | |
| 27472 | 7590 | 11/17/2005 | | EXAMINER | | |
| RANDALL B. BATEMAN | | | | СНАМВЕ | CHAMBERS, TROY | |
| BATEMAN IP LAW GROUP | | | | | | |
| 8 EAST B | 8 EAST BROADWAY, SUITE 550 PO BOX 1319 | | | | PAPER NUMBER | |
| PO BOX 1 | | | | | 3641 | |
| SALT LAKE CITY, UT 84110 | | | | DATE MAILED: 11/17/200 | 5 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

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DETAILED ACTION

1. The reply filed on 06/20/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendment filed 06/20/05 is considered non-compliant because it has failed to meet the requirements of 37 C.F.R. 1.121. In order for the amendment document to be compliant, correction of the following items is required:

2. Amendment to the claims:

- a. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. For example, in the response to the election requirement filed by the applicant on 03/31/05, the applicant elected Group I and the species defined by Figure 3. Applicant alleged claims 1-7, 12-18, 21, 22, 27-44 and 50 read on the selected Group and species. However, the status identifiers of non-elected claims 8-11, 19, 20, 23-26, 45-49 and 51-57 are either "Original" or "New". Since these claims have not been elected by the applicant they should be identified as being "Withdrawn".
- 3. <u>See</u> 37 CFR 1.111 and 37 C.F.R. 1.121. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Troy Chambers whose telephone number is (571) 272-6874 between the hours of 7:00 a.m. to 3:30 p.m., M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone, can be reached at (571) 272-6873.

Troy Chambers, Examiner

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